

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING)
PHARMACY, INC. PRODUCTS)
LIABILITY LITIGATION)
Plaintiffs,)

MDL No. 2419

Docket No. 1:13-md-2419 (RWZ)

This document relates to:)

Armetta, et al. v. Box Hill Surgery Center,)
LLC, et al.)
No. 1:14-cv-14022-RWZ)

Bowman, et al. v. Box Hill Surgery Center,)
LLC, et al.)
No. 1:14-cv-14028-RWZ)

PLAINTIFFS' MOTION FOR LEAVE
TO APPEAR VIA TELEPHONE AT
FEBRUARY 8, 2017 STATUS
CONFERENCE

Davis, et al. v. Box Hill Surgery Center, LLC,)
et al.)
No. 1:14-cv-14033-RWZ)

Dreisch, et al. v. Box Hill Surgery Center,)
LLC, et al.)
No. 1:14-cv-14029-RWZ)

Farthing, et al. v. Box Hill Surgery Center,)
LLC, et al.)
No. 1:14-cv-14036-RWZ)

Kashi, et al. v. Box Hill Surgery Center, LLC,)
et al.)
No. 1:14-cv-14026-RWZ)

Torbeck, et al. v. Box Hill Surgery Center,)
LLC, et al.,)
No. 1:14-cv-14023-RWZ)

Handy v. Box Hill Surgery Center, LLC, et al.)
No. 1:14-cv-14019-RWZ)

Plaintiffs, by their undersigned counsel, hereby move for this Court to allow attorney Jay

D. Miller to appear via telephone at the February 8, 2017 Status Conference before the

Honorable Rya W. Zobel, for reasons explained below.

1. Attorney Jay D. Miller represents Plaintiffs Armetta, Bowman, Davis, Dreisch, Farthing, Kashi, and Torbeck in the above-captioned matters. Mr. Miller is located in Maryland. Although Mr. Miller has been admitted to practice *pro hac vice* on a limited basis before this Court in the MDL proceedings, it would place an undue burden and expense for Mr. Miller to be required to travel to Massachusetts for the scheduled Status Conference.

2. Accordingly, Mr. Miller respectfully requests to appear for the Status Conference via telephone before Judge Rya W. Zobel on February 8, 2017, at 2:00 p.m.

WHEREFORE, Plaintiffs respectfully request that the undersigned counsel be permitted to appear via telephone during the February 8, 2017 Status Conference, and request such other relief as this Court deems just and proper under the circumstances.

Respectfully submitted,

/s/ Jay D. Miller
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Jay D. Miller
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*Attorneys for Plaintiffs Armetta, Bowman,
Davis, Dreisch, Farthing, Kashi, Torbeck
et al.*

CERTIFICATE OF SERVICE

I, Jay D. Miller, hereby certify that a copy of the foregoing document, filed through the CM/ECF system will be accessible to those attorneys who are registered with the Court's electronic filing system and Notice of Electronic filing (NEF), including the attorneys representing the defendants in the above-referenced individual cases, and will be sent to these parties by operation of the CM/ECF system.

Dated: February 6, 2017

/s/ Jay D. Miller
Jay D. Miller

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No. 1:14-cv-14028-RWZ)

ORDER GRANTING PLAINTIFFS'
MOTION TO APPEAR VIA
TELEPHONE AT FEBRUARY 8, 2017
STATUS CONFERENCE

Davis, et al. v. Box Hill Surgery Center, LLC,)
et al.)
No. 1:14-cv-14033-RWZ)

Dreisch, et al. v. Box Hill Surgery Center,)
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LLC, et al.,)
No. 1:14-cv-14023-RWZ)

Handy v. Box Hill Surgery Center, LLC, et al.)
No. 1:14-cv-14019-RWZ)

The Court, having considered Plaintiffs' Motion, and good cause appearing therefor,

IT IS this _____ day of _____, 2017, ORDERED that Plaintiffs'

Motion for Leave to Appear via Telephone at the February 8, 2017, 2:00 p.m. Status Conference scheduled by this Court is hereby GRANTED.

JENNIFER C. BOAL
CHIEF MAGISTRATE JUDGE
U.S. DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS